



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,048	01/17/2006	Nobuaki Himori	MAT-8797US / P35294-06	1814
52473	7590	01/09/2008	EXAMINER	
RATNERPRESTIA P.O. BOX 980 VALLEY FORGE, PA 19482			ALI, MOHAMMAD M	
			ART UNIT	PAPER NUMBER
			3744	
			MAIL DATE	DELIVERY MODE
			01/09/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/595,048	HIMORI, NOBUAKI	
	Examiner	Art Unit	
	Mohammad M. Ali	3744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 9-13 is/are rejected.
- 7) ☒ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/19/06, 05/26/06 & 01/17/06</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5, 9, 12 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (5,971,213) Lee discloses a refrigerator comprising a door 10 filled with insulator therein (it is inherent, also see the inner space of the door 10); a water storage tank unit 11 disposed at a high place of an inner face of the door 10, and the water storage tank 10 unit including a water storage tank 10 and a tank cover ; a water feeder 16 disposed on a front face of the door 10; and a water feeding tube 12 coupling the tank unit 11 to the water feeder 16, and including a water feeder outlet through cock 13 at an end of the tube 12, wherein the water feeding tube 12 slants upward from the water feeder 16 to the tank unit 11. See Fig. 2, column3, line 10-41. Regarding claim 3, the diameter of tube 12 is inherently less than the cock outlet as the cock controls the flow of water exiting through the cock; Regarding claim 5, the lever 14 works as feed controlling unit for opening/closing the water feeder outlet; regarding claim 9, the hole through the heat insulator contained in the door shell guides the water feeding tube 12;

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Bianchi et al., (6,425,425). Lee discloses the invention substantially as claimed as stated above except a water feeder cover. Bianchi et al., teach the use of a water feeder cover upper part of the shell 9 for covering the water feeder 10 and a water feeder outlet guide/support 18 for surrounding the water feeder outlet, wherein the guide slants forward, and a lower end of the guide 18 is substantially flush lower end of the cover (upper part of the shall 9) see Fig. 3, column 2, line 35 to column 3, line 67.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the refrigerator of Lee in view of Bianchi et al., such that a cover and guide could be provided in order to cover the water feeder and guide the water feeder in order to safe dispensing of the water.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of V. M. (1,918,767). Lee discloses the invention substantially as claimed as stated above except a packing made from a soft rubber. Maine teaches the use of a

rubber made seal packing tube 15 packed over the feed tube 20 in a water cooler for the purpose of fixing the feed tube 20 with the water reservoir 21 in a tight sealing manner.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the refrigerator of Lee in view of Fukuda Maine such that a rubber seal packing could be provided in order to fix the the feed tube in tight sealing manner.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Fukuda et al., (JP 2000-302202 A). Lee discloses the invention substantially as claimed as stated above except a seal packing and slide lever. Fukuda et al., teach the use of a seal packing 20/25 and lever 30 in a lid 20 closing mechanism of a container.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the refrigerator of Lee in view of Fukuda et al., such that a seal packing and a lever could be provided in order to compress the seal packing and close the lid by the application of the lever.

Allowable Subject Matter

Claims 6, 7 and 8 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Application/Control Number:
10/595,048
Art Unit: 3744

Page 5

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad M. Ali whose telephone number is 571-272-4806. The examiner can normally be reached on maxiflex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J. Tyler can be reached on 571-272-4808. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


MOHAMMAD M. ALI
PRIMARY EXAMINER